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PTO/SB/01 (10-00)
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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

**DECLARATION FOR UTILITY OR
DESIGN
PATENT APPLICATION
(37 CFR 1.63)**

☐ Declaration Submitted with Initial Filing OR ☒ Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)

Attorney Docket Number	PDC 119
First Named Inventor	Solomon S. Steiner
COMPLETE IF KNOWN	
Application Number	09 / 766,362
Filing Date	January 19, 2001
Group Art Unit	
Examiner Name	

As a below named inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

DRY POWDER FORMULATIONS OF ANTIHISTAMINE FOR NASAL ADMINISTRATION

(Title of the Invention)

the specification of which

☐ is attached hereto

OR

☒ was filed on (MM/DD/YYYY) **01/19/2001**

as United States Application Number or PCT International

Application Number **09/766,362** and was amended on (MM/DD/YYYY) (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)	<input type="checkbox"/> Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.
60/176,845	01/19/2000	

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 21 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

PDC 119

20138/45

Please type a plus sign (+) inside this box → ☐

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DECLARATION — Utility or Design Patent Application

Direct all correspondence to:

☐

Customer Number
or Bar Code Label

OR ☒

Correspondence address below

Name Patrea L. Pabst, Esq.; Arnall Golden & Gregory, LLP

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ZIP 30309-3450

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

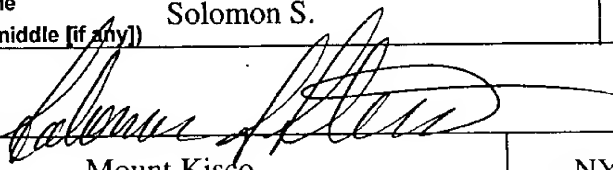
NAME OF SOLE OR FIRST INVENTOR:

☐ A petition has been filed for this unsigned inventor

Given Name Solomon S.
(first and middle [if any])

Family Name Steiner
or Surname

Inventor's
Signature



Date

02/01/01

Residence: City Mount Kisco

State NY

Country US

Citizenship US

Mailing Address 24 Old Wagon Road

Mailing Address

City Mount Kisco

State NY

ZIP 10549

Country US

NAME OF SECOND INVENTOR:

☐ A petition has been filed for this unsigned inventor

Given Name Bryan R.
(first and middle [if any])

Family Name Wilson
or Surname

Inventor's
Signature



Date

02-01-01

Residence: City Granite Springs

State NY

Country US

Citizenship US

Mailing Address 16 Seminary Lane

Mailing Address

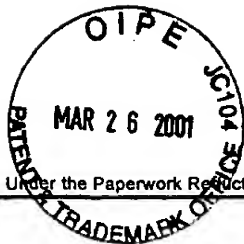
City Granite Springs

State NY

ZIP 10527

Country US

— Additional inventors are being named on the _____ supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.



STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Solomon S. Steiner and Bryan R. Wilson

Application No./Patent No.: 09/766,362 Filed/Issue Date: January 19, 2001

Entitled: DRY POWDER FORMULATIONS OF ANTIHISTAMINE FOR NASAL ADMINISTRATION

Pharmaceutical Discovery Corporation, a Corporation
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.
The extent (by, percentage) of its ownership interest is _____ %

in the patent application/patent identified above by virtue of either:

- A. [☒] An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

- B. [] A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

2. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

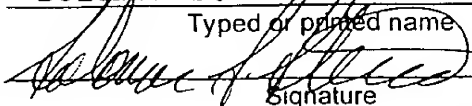
3. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

[] Additional documents in the chain of title are listed on a supplemental sheet.

- [] Copies of assignments or other documents in the chain of title are attached.
[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

February 1, 2001
Date

Solomon S. Steiner
Typed or printed name

Signature
Chairman and CEO
Title


ASSIGNMENT

We, Solomon S. Steiner of 24 Old Wagon Road, Mount Kisco, New York 10549, and Bryan R. Wilson of 16 Seminary Lane, Granite Springs, New York 10527, in consideration of ten dollars and other valuable consideration paid to us by Pharmaceutical Discovery Corporation, a corporation of the State of Delaware, having its principal place of business at 33 West Main Street, 4th Floor, Elmsford, New York 10523, the receipt of which is hereby acknowledged, do hereby sell, assign and transfer unto said Pharmaceutical Discovery Corporation, its successors and assigns, the entire interest for the United States of America, and its territories and all foreign countries and jurisdictions, including all rights of priority under the International Convention for the Protection of Industrial Property, in a certain invention or improvement in *"Dry Powder Formulations of Antihistamine for Nasal Administration"* described in U.S. Application Serial No. 09/766,362 filed in the United States Patent and Trademark Office on January 19, 2001, by Solomon S. Steiner and Bryan R. Wilson, which claims priority to U.S. Provisional Application Serial No. 60/176,845 filed in the United States Patent and Trademark Office on January 19, 2000, and in all Letters Patent of the United States and its territories and all foreign countries and jurisdictions which may or shall be granted on said invention, or any parts thereof, or on said application, or any provisional, divisional, continuation, continuation-in-part, reissue, or other applications based in whole or in part thereon. And we agree, for ourselves and our executors and administrators, with said corporation and its successors and assigns, but at its or their expense or charges, hereafter to execute all applications, amended specifications, deeds or other instruments, and to do all acts necessary or proper to secure the grant of Letters Patent in the United States and its territories and in all other foreign countries and jurisdictions to said corporation, with specifications and claims in such form as shall be approved by the counsel of said corporation, and to vest and confirm in said corporation, its successors and assigns, the legal title to all such patents.

Title: "Dry Powder Formulations of
Antihistamine for Nasal Administration"
By: Solomon S. Steiner and Bryan R. Wilson
Filed: January 19, 2001
ASSIGNMENT

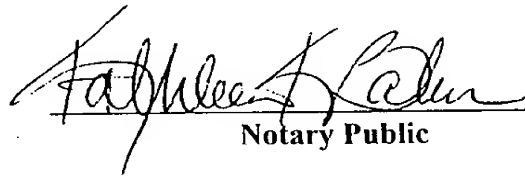
And we do hereby authorize and request the Commissioner of Patents and Trademarks of the United States to issue such Letters Patent as shall be granted upon said application or applications based thereon to said corporation, its successors and assigns.

WITNESS my hand and seal this 1st day of February, 2001.


Solomon S. Steiner

State of New York)
County of Westchester)

Then personally appeared the above named Solomon S. Steiner and acknowledged the foregoing instrument to be his free act and deed, before me this 1st day of February, 2001.

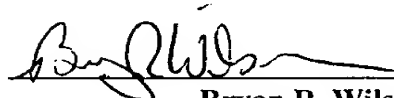

Notary Public

My Commission expires: 12-15-01

Kathleen K. Baiun
Notary Public of State of New York
#01BA6000237
Qualified in Putnam County
Commission Expires 12-15-2001

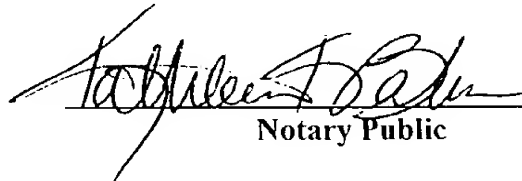
Title: "Dry Powder Formulations of
Antihistamine for Nasal Administration"
By: Solomon S. Steiner and Bryan R. Wilson
Filed: January 19, 2001
ASSIGNMENT

WITNESS my hand and seal this 15th day of February, 2001.


Bryan R. Wilson

State of New York)
County of Westchester)

Then personally appeared the above named Bryan R. Wilson and acknowledged the foregoing instrument to be his free act and deed, before me this 15th day of February, 2001.


Notary Public

My Commission expires: 12-15-01

Kathleen F. Bahr
Notary Public of State of New York
#01BA6000237
Qualified in Putnam County
Commission Expires 12-15-2001